

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PANAMA CITY DIVISION**

**RAMON ARMAS BORROTO JR.**

Plaintiff,

vs.

**Case No. 5:04CV165-RH/WCS**

**MCDONALD, PATE, SPEIGHT,  
MCKENZIE and KENT.**

Defendants.

\_\_\_\_\_ /

**DEFENDANT MCDONALD'S MOTION TO ADOPT MOTION TO DISMISS**

Defendant McDonald, by and through undersigned counsel, respectfully requests that he be permitted to adopt Defendants' Motion to Dismiss filed on January 20, 2005 as his response to Plaintiff's amended complaint. Specifically, Defendant McDonald asserts that Plaintiff has failed to exhaust his administrative remedies.

Respectfully Submitted,

CHARLIE CRIST  
Attorney General

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\_\_\_\_\_  
/s/Caryl Kilinski  
CARYL KILINSKI  
Assistant Attorney General  
Florida Bar No. 0480649

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by U.S. Mail to Ramon Armas Borroto X27467 at Florida State Prison, 7819 N.W. 228th Street, Raiford, Florida 32026-1230 on this 18th day of February, 2005.

/s/ Caryl Kilinski  
Assistant Attorney General